

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claim 1-20, 22, 23, 27-39, 51-68, 76-87, 101-119, 121, 122, 124, 125, 127-129, 131-133, 135-137, 139, and 140-142 are currently pending in this application. Claims 141 and 142 have been newly added by this reply. Originally independent claims 17 and 65 have been amended to depend from claims 1 and 51, respectively. Thus, claims 1, 12, 51, 60 and 141, are now independent. The remaining claims depend, directly or indirectly, from claims 1, 12, 51, 60 and 141.

**Claim Amendments**

Independent claims 1 and 51 have been amended to clarify the language reciting “prohibiting full audio and visual access” to “permitting only partial audio and visual access.” Support for this amendment may be found, for example, on page 5 of the specification. Applicant asserts no new subject matter is added by way of these amendments.

**New Claims**

Claims 141 and 142 have been newly added by this reply. Independent claim 141 recites individual access control to more than one window displaying a program in a mosaic formation. That is, a user may receive only partial audio/visual access to one window displayed in the mosaic formation, but receive complete access to all audio/visual aspects to another window displayed in the mosaic formation, depending on which programs the user has full access rights to. Support for this newly added claim may be found, for example on

pages 3-5 of the Specification. Applicant asserts no new subject matter is added by way of the newly added claims.

### **Rejections under 35 U.S.C. § 102**

Claims 1-4, 28, 30, 35, 36, 51-53, 76, 78, 83, 84, and 139 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 96/37996 ("Townsend"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

Independent claims 1 and 51 have been amended to clarify that the decoder is configured to permit only partial access to audio/video programming based on access rights of a user. Thus, the decoder prohibits full access to audio/video programming by permitting only partial access to certain audio/visual information and prohibiting access to the entire audio/visual program.

As described in previous discussions of Townsend, Townsend only discloses a descrambling circuit controlled by the access control circuit to enable the descrambling of the signal by authorized subscribers (*see* Townsend, page 11, lines 16-19). Although Townsend discloses that only authorized subscribers can obtain access to the broadcast signal, thereby prohibiting full access to an unauthorized subscriber, Townsend fails to disclose or suggest permitting only partial audio/visual access to a program based on access rights. In fact, as admitted by the Examiner on pages 2-3 of the Office Action mailed April 7, 2006, Townsend only discloses that a program is scrambled to prevent unauthorized access. Effectively, this results in prohibiting full audio/visual access to unauthorized users. However, such a method of encryption of data by scrambling to prevent full audio/visual access *inherently cannot permit partial access* to the audio/visual program. In Townsend, either the user is authorized,

in which case the user can access the entire audio/visual program, or the user is unauthorized, in which the complete program is prohibited from being viewed or heard.

In view of the above, it is clear that Townsend fails to disclose or suggest each and every limitation recited in amended independent claims 1 and 51. Thus, amended independent claims 1 and 51 are patentable over Townsend. Dependent claims 2-4, 28, 30, 35, 36, 52-53, 76, 78, 83, 84, and 139 are patentable for at least the same reasons. Claim 17 has been amended to depend from claim 1, and claim 65 has been amended to depend from claim 51. Thus claims 17 and 65 are also patentable over Townsend for at least the same reasons as amended independent claims 1 and 51. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 12, 17, 60, 63-66, 107, 108, 124, 125, 128, 129, 132, and 133 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,903,314 ("Nijima"). This rejection is respectfully traversed.

With respect to independent claims 12 and 60, the Examiner appears to be equating the grouping of programs according to the user's favorite channels by moving windows in the mosaic to different positions with the limitation reciting "changing attributes of the cursor." Applicant respectfully disagrees. Particularly, there is a distinction between modifying the cursor itself, and modifying the windows containing program content. Nijima only discloses grouping *windows* within the mosaic or changing positions of *windows* in the mosaic. Nijima is completely silent with respect to changing attributes of the cursor, which is completely separate from the windows. It is not relevant that the cursor is positioned on a window that is shifted into a different position. Shifting a window is not equivalent to changing an attribute of the cursor itself (i.e., things directly related to the appearance of or

behavior of the cursor), as clearly required by independent claims 12 and 60. The cursor is an additional component with its own attributes distinct from each of the windows displaying program content in the mosaic. Therefore, because Nijima only discloses changing an attribute of a program or a channel displayed in a window over which a cursory may be positioned (as admitted by the Examiner on page 3 of the Office Action mailed April 7, 2006), Nijima fails to disclose or suggest changing attributes of the cursor itself.

In view of the above, it is clear that independent claims 12 and 60 are patentable over Nijima. Further, dependent claims 63, 64, 66, 107, 124, 128, and 132 are patentable for at least the same reasons.

With respect to independent claims 17 and 65, these claims have been amended to depend from independent claims 1 and 51, respectively. Thus, this rejection is now moot with respect to claims 17 and 65. Dependent claims 108, 125, 129, and 133 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 62, 68, 115, and 117 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nijima in view of U.S. Patent No. 5,809,204 ("Young"). This rejection is respectfully traversed.

As described above, Nijima fails to disclose or suggest all the limitations of independent claim 60 because Nijima fails to disclose changing attributes of a *cursor*. Further, with respect to claim 62, Young fails to supply that which Nijima lacks, as evidenced by the fact that the Examiner uses Young solely for the purpose of disclosing receiving data for assigning the characteristic from a remote control handset associated with

the decoder and means for assigning the characteristic in response to the received data (*see* Office Action mailed April 7, 2006, page 10).

Similarly, with respect to claim 68, Young is used by the Examiner solely for the purpose of disclosing a means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window (*see* Office Action mailed April 7, 2006, page 10). With respect to claims 115 and 117, the Examiner relies on Young solely for the purpose of disclosing a forthcoming schedule and the textual display of program schedule information (*see* Office Action mailed April 7, 2006, page 11).

In view of the above, it is clear that independent claim 60 is patentable over Nijima and Young, whether considered separately or in combination. Further, dependent claims 62, 68, 115, and 117 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 5-8, 54-56, and 140 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of U.S. Patent No. 5,758,259 ("Lawler"). This rejection is respectfully traversed.

As described above, Townsend fails to disclose all the limitations of amended independent claims 1 and 51. Further, Lawler fails to supply that which Townsend lacks. In particular, Lawler relates to a method of providing viewers with personalized guides to programming available on interactive TV or televideo systems (*see* Lawler, Abstract). Specifically, Lawler discloses a method for providing a viewer on an IT system with a programming guide that is automatically personalized based on the viewing history of the viewer (*see* Lawler, col. 2, ll. 31-33). Lawler is completely silent with respect to permitting only partial audio/visual access by a user to a program/channel that is displayed in windows

of a mosaic formation. In fact, Lawler is not even related to prohibiting access to a program/channel based on any type of access restrictions.

In view of the above, it is clear that independent claims 1 and 51 are patentable over Townsend and Lawler, whether considered separately or in combination. Further, dependent claims 5-8, 54-56, and 140 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 9, 10, 57, and 58 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of U.S. Patent No. 5,874,936 ("Berstis"). This rejection is respectfully traversed.

As described above, Townsend fails disclose all the limitations of independent claims 1 and 51. Further, Berstis fails to supply that which Townsend lacks, as evidenced by the fact that the Examiner relies on Berstis solely for the purpose of disclosing a "means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active," where the cursor is repositioned either immediately or after a predetermined length of time (*see* Office Action mailed April 7, 2006, page 13).

In view of the above, it is clear that independent claims 1 and 51 are patentable over Townsend and Berstis, whether considered separately or in combination. Further, dependent claims 9, 10, 57, and 58 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11, 13, 15, 16, 18, 19, 31, 33, 39, 59, 79, 86, 87, 111, 112, 127, and 131 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Niiijima. This rejection is respectfully traversed.

As described above, Townsend fails to disclose or suggest all the limitations of independent claims 1 and 51. Further, Nijima fails to supply that which Townsend lacks. Specifically, Nijima discloses an electrical program guide system and method by which a desired program can be rapidly selected directly from among a large number of programs arranged in a mosaic formation (*see* Nijima, Abstract). Nijima only discloses displaying and storing the various programs for user selection and allowing a user to scroll through the displayed programs to select a desired program. Nijima is completely silent with respect to permitting only partial access by the user to a program that is already displayed in the mosaic formation based on received access rights. In fact, in Nijima, once the programs are displayed in the nine (9) windows in the mosaic formation, Nijima provides complete access to these nine programs and is completely silent with respect to providing only partial access to the displaying programs.

In view of the above, it is clear that independent claims 1 and 51 are patentable over Townsend and Nijima, whether considered separately or in combination. Further, dependent claims 11, 13, 15, 16, 18, 19, 31, 33, 39, 59, 79, 86, 87, 111, 112, 127, and 131 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 14 and 110 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Nijima and further in view of Young. This rejection is respectfully traversed.

As described above, neither Townsend nor Nijima render independent claims 1 and 51 obvious. Further, Young fails to supply that which Townsend and Nijima lack, as evidenced by the fact that the Examiner relies on Young solely for the purpose of disclosing a

means for receiving data for assigning the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data (*see* Office Action mailed April 7, 2006, page 18). In view of the above, it is clear that independent claims 1 and 51 are patentable over Townsend, Nijima, and Young, whether considered separately or in combination. Further, dependent claims 14 and 110 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 20, 22, 23, 27, 103, 113, 114, and 116 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Young. This rejection is respectfully traversed.

As described above, neither Townsend nor Young disclose all the limitations of independent claims 1 and 51. Thus, independent claims 1 and 51 are patentable over Townsend and Young, whether considered separately or in combination. Dependent claims 20, 22, 23, 27, 103, 113, 114, and 116 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 32, 80, and 81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Nijima and further in view of U.S. Patent No. 5,663,757 (“Morales”). This rejection is respectfully traversed.

As described above, neither Townsend nor Nijima disclose all the limitations of independent claims 1 and 51. Further, Morales fails to supply that which Townsend and Nijima lack, as evidenced by the fact that the Examiner relies on Morales solely for the purpose of disclosing logos on channels and images (*see* Office Action mailed April 7, 2006, pages 20-21). In view of the above, independent claims 1 and 51 are patentable over



Townsend, Niijima, and Morales, whether considered separately or in combination. Dependent claims 32, 80, and 81 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 29 and 77 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of U.S. Patent No. 5,594,509 ("Florin"). This rejection is respectfully traversed.

As described above, Townsend fails to disclose the limitations of independent claims 1 and 51. Further, Florin fails to supply that which Townsend lacks, as evidenced by the fact that the Examiner relies on Florin solely for the purpose of disclosing authenticating a PIN number (*see* Office Action mailed April 7, 2006, page 21). In view of the above, independent claims 1 and 51 are patentable over Townsend and Florin, whether considered separately or in combination. Dependent claims 29 and 77 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 34 and 82 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of U.S. Publication No. 2001/0052135 ("Balakrishnan"). This rejection is respectfully traversed.

As described above, Townsend fails to disclose all the limitations of independent claims 1 and 51. Further, Balakrishnan fails to supply that which Townsend lacks, as evidenced by the fact that the Examiner relies on Balakrishnan solely for the purpose of disclosing an advertisement (*see* Office Action mailed April 7, 2006, page 22). In view of the above, independent claims 1 and 51 are patentable over Townsend and Balakrishnan, whether considered separately or in combination. Dependent claims 34 and 82 are patentable

for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 37 and 85 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of U.S. Patent No. 5,978,649 ("Kahn"). This rejection is respectfully traversed.

As described above, Townsend fails to disclose all the limitations of independent claim 1. Further, Kahn fails to supply that which Townsend lacks, as evidenced by the fact that the Examiner relies on Kahn solely for the purpose of disclosing a means for generating a message due to lack of access rights when a cursor is on a channel (*see* Office Action mailed April 7, 2006, page 22). In view of the above, independent claim 1 is patentable over Townsend and Kahn, whether considered separately or in combination. Dependent claims 37 and 85 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 61, 67, 101, 102, 118, and 119 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nijima in view of Townsend. This rejection is respectfully traversed.

With respect to independent claim 51, it has been previously described that neither Nijima nor Townsend discloses the limitations of independent claim 51. Thus, independent claim 51 is patentable over Nijima and Townsend, whether considered separately or in combination. Dependent claim 61 is patentable for at least the same reasons.

With respect to independent claims 12 and 60, it has been previously described that Nijima fails to disclose all the limitations of these independent claims. Further, Townsend

fails to supply that which Niijima lacks. Particularly, Townsend fails to disclose or suggest changing the attributes of a cursor. Thus, independent claims 12 and 60 are patentable over Niijima and Townsend, whether considered separately or in combination. Dependent claims 67, 101, and 118 are patentable for at least the same reasons.

With respect to amended independent claims 17 and 65, as described above, neither Niijima nor Townsend disclose the limitations of these amended independent claims. Thus, amended independent claims 17 and 65 are patentable over Niijima and Townsend, whether considered separately or in combination. Dependent claims 102 and 119 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 136 and 137 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Niijima in view of Florin. This rejection is respectfully traversed.

As described above, Niijima fails to disclose or suggest all the limitations of independent claims 60 and 65. Further, Florin fails to supply that which Niijima lacks, as evidenced by the fact that the Examiner relies on Florin solely for the purpose of disclosing a window in constant position (*see* Office Action mailed April 7, 2006, page 25). In view of the above, it is clear that independent claims 60 and 65 are patentable over Niijima and Florin, whether considered separately or in combination. Dependent claims 136 and 137, respectively, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 104, 105, 121, and 122 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Niijima in view of Kahn. This rejection is respectfully traversed.

As described above, Nijima fails to disclose or suggest all the limitations of independent claims 60 and 65. Further, Kahn fails to supply that which Nijima lacks, as evidenced by the fact that the Examiner relies on Kahn solely for the purpose of a means for generating message information for a user of the access rights of a channel in the event of placing a cursor on the channel (*see* Office Action mailed April 7, 2006, pages 25-26). In view of the above, it is clear that independent claims 60 and 65 are patentable over Nijima and Kahn, whether considered separately or in combination. Dependent claims 104, 105, 121, and 122 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 106 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Young and further in view of Kahn. This rejection is respectfully traversed.

As described above, independent claim 1 is patentable over Townsend, Young, and Kahn, whether considered separately or in combination. Further, dependent claim 106 is patentable over Townsend, Young, and Kahn for at least the same reasons as independent claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 109 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Young and further in view of Nijima. This rejection is respectfully traversed.

As described above, independent claim 1 is patentable over Townsend, Young, and Nijima, whether considered separately or in combination. Further, dependent claim 109 is patentable over Townsend, Young, and Kahn for at least the same reasons as independent claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 135 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsend in view of Nijima and further in view of Florin. This rejection is respectfully traversed.

As described above, independent claim 51 is patentable over Townsend, Nijima, and Florin, whether considered separately or in combination. Further, dependent claim 135 is patentable over Townsend, Nijima, and Florin for at least the same reasons as independent claim 51. Accordingly, withdrawal of this rejection is respectfully requested.

#### **New Claims 141 and 142**

Newly added independent claim 141 recites subject matter similar to that recited in independent claims 1 and 51. Particularly, newly added claim 141 recites permitting *partial access* to a first program displayed in a mosaic formation. Thus, independent claim 141 is patentable over the cited prior art for at least the same reasons as independent claims 1 and 51. Dependent claims 142 is patentable for at least the same reasons as independent claim 141. Accordingly, favorable consideration of the newly added claims is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/028001).

Dated:

Respectfully submitted,

By 

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